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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

Karen Testerman, *pro* se Lynn-Diane Briggs, *pro* se Wayne Paul Saya,Sr.,pro se

Plaintiffs

Vs

DAVID SCANLAN SECRETARY OF STATE FOR NEW HAMPSHIRE, et al,

Defendants

Docket No.23-cv-00499-JL-AJ

PLAINTIFF "WAYNE PAUL SAYA, SR." MOTION FOR LEAVE REQUESTING THE COURT TO DISMISS HIS NON-COMPLYING MOTION FOR EXPEDITED CONSIDERATION FOR PRELIMINARY INJUNCTIVE RELIEF AND ALLOW PLAINTIFF'S LATER-FILED MOTION OF THE SAME TITLE WITH ACCOMPANYING DECLARATION TO SERVE AS BEING SEPERATED FROM THE NON-COMPLYING CLASS.

Now comes the Plaintiff, Wayne Paul Saya, Sr., *pro se*, in the above-entitled and number action, hereby moves this honorable court, where the Plaintiff motions that the joint motion incorporating all three of the Plaintiffs signatures (Pacer no. 2) be determined as non-complying under LR 5.2 Non-complying motion, and join this motion for non-compliance with Plaintiff's new Motion for Expedited Consideration for Preliminary Injunctive Relief and Accompanying Declaration, individual to the Plaintiff, and as allowed under Fed.R.Civ.P. 12(g) Joining Motions.

Where this initial Motion for Injunctive Relief (Pacer no. 2) should have been submitted by each Plaintiff individually, where the Plaintiffs are not a class;

<u>Where</u> the Plaintiff believes this Motion for Leave of the Court to Withdraw from the joint motion (Pacer no. 2) for injunctive relief is appropriate, because the filing was non-conforming under LR 5.2 for pro se litigants.

Where the Plaintiff wrongly filed an 'Amended' Motion for Expedited Injunctive Relief, (Pacer no. 5 and 8) when said Motion should have been filed as his initial Motion for injunctive relief, and

Where, submitting these two motions here together under Fed.R.Civ.P.12(g) can cure the Plaintiff's mistake as a pro se litigant.

Wherefore, Plaintiff requests that the court accept Plaintiff's recently filed Amended Motion as his initial motion for Expedited Injunctive Relief with memorandum as his initial filing and not as an amended filing.

Defendants have been notified of the Plaintiffs move to cure this defect, and have been emailed a copy of this motion upon filing with this court. Defendants have also been requested to assent to the Plaintiff's Motion to cure these defects.

Prayer for Relief

I pray the court will grant this motion for this Plaintiff's Motion for the relief sought, in the interest of justice, or for any reason this court may deem fair and just.

SWORN TO AND SUBSCRIBED UNDER PAIND AND PENALTIES OF PERJURY THIS 5^{TH} DAY OF December, 2023.

Respectfully submitted,

Wayne Paul Saya, Sr. 24 Cadogan Way Nashua, New Hampshire 03062 <u>Waynesaya2@gmail.com</u> 571-220-3344 mobile

CERTIFICATE OF SERVICE

I, Wayne Paul Saya, Sr., pro se, have caused to deliver the named Plaintiffs the following: PLAINTIFF "WAYNE PAUL SAYA, SR.," MOTION FOR LEAVE REQUESTING THE COURT TO DISMISS HER NON-COMPLYING MOTION FOR EXPEDITED CONSIDERATION FOR PRELIMINARY INJUNCTIVE RELIEF AND ALLOW PLAINTIFF'S LATER-FILED MOTION OF THE SAME TITLE WITH ACCOMPANYING DECLARATION UNDER HER SEPERATED MOTION, and the foregoing documents have been served upon the following Defendants and Plaintiffs, certified mail and U.S. postage pre-paid:

David Scanlan, Defendant
Secretary of State of New Hampshire
ATTENTION: Brendan Avery O'Donnell
NH Department of Justice (Concord)
33 Capitol St
Concord, NH 03301
603-271-3650

Email: brendan.a.odonnell@doj.nh.gov

Karen Testerman, Plaintiff, pro se 9 Stone Avenue Franklin, New Hampshire 03235 Karen@karentesterman.com 603-721-9933

Fax: 603-271-2110

Chris Ager, Defendant
Chairman
New Hampshire Republican Party
ATTN: Attorney Bryan K. Gould
Cleveland, Waters, and Bass, P.A.
2 Capital Plaza
Concord, New Hampshire 03302-1137
gouldb@cwbpa.com
603-224-7761

Lynn-Diane Briggs, Plaintiff, pro se 4 Golden Pond Lane Amherst, New Hampshire 03031 Lynbdance@gmail.com 603-801-6886

SWORN TO UNDER PAINS AND PENALTIES OF PERJURY this 5th day of December, 2023.

Wayne Paul Saya, Sr.Plaintiff, pro se

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